

**BOARD OF COUNTY COMMISSIONERS**  
**Agenda Item Summary**

**Meeting Date**      August 18, 2004

**Division**      **County Attorney**

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**AGENDA ITEM WORDING**

Approval to advertise an ordinance creating Sec. 12.1-34(a), MCC, exempting certain affordable housing rentals from occupational license fees.

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**ITEM BACKGROUND**

Certain affordable rental housing developments have received building permit and impact fee waivers based upon meeting certain criteria to insure that the rentals will be affordable housing. The proposed ordinance would complement the existing fee waivers and provide additional monetary relief to providers of much needed housing.

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**PREVIOUS RELEVANT BOCC ACTION**

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**CONTRACT/AGREEMENT CHANGES**

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**STAFF RECOMMENDATIONS**

Approval to advertise for ONE PUBLIC HEARING on September 15, 2004 in Marathon.

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**TOTAL COST**

**BUDGETED**    Yes    No

**COST TO COUNTY**

**SOURCE OF FUNDS**

**APPROVED BY:**    County Attorney ■    OMB/Purchasing    Risk Management

**DIVISION DIRECTOR APPROVAL**

*John R. Collins 08/03/04*  
JOHN R. COLLINS

**DOCUMENTATION:**

Included

To Follow

Not Required

**AGENDA ITEM #**

0.9

**ORDINANCE NO.                      - 2004**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AMENDING SECTION 12.1, MONROE COUNTY CODE, AND CREATING SECTION 12.1-34(a), MONROE COUNTY CODE, EXEMPTING CERTAIN AFFORDABLE HOUSING RENTALS FROM OCCUPATIONAL LICENSE FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Monroe County Code Section 6-27 and 9.5-490.2(h) provide for the waiver or deferment of building permit and impact fees; and

WHEREAS, it is deemed in the best interest of the public that all efforts be made to accommodate and encourage the establishment of affordable housing; and

WHEREAS, no provision exists in the county code for the County Commission to waive the occupational license fee for rental of affordable housing apartments; now, therefore

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. Sec. 12.1-34(a), Monroe County Code, is hereby created to read as follows:

(2) Any not-for-profit organization qualified under the Internal Revenue Service laws as a 501(c)(3) organization which has previously obtained from Monroe County a local government fee waiver of the building permit fees and impact fees exacted by Monroe County Code for affordable rental housing development shall not be required to pay an occupational tax for the rental of the housing for which such building permit fee and impact fee waivers have been approved.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or

amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 5. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the \_\_\_\_\_ day of \_\_\_\_\_, 2004.

Mayor Nelson  
Mayor Pro Tem Rice  
Commissioner McCoy  
Commissioner Neugent  
Commissioner Spehar

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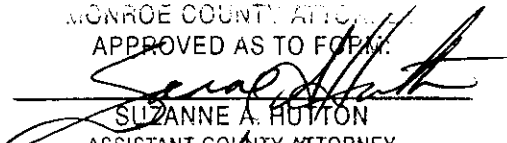
(SEAL)  
Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By \_\_\_\_\_  
Deputy Clerk

By \_\_\_\_\_  
Mayor/Chairperson

jordAHwaivefees

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:  
  
SUZANNE A. HUTTON  
ASSISTANT COUNTY ATTORNEY  
Date: 8/02/04